

Application No. 10/073,896
Amendment dated April 26, 2004
Reply to Office Action of February 18, 2004

REMARKS

Claims 2 and 3 are pending in this application. Claim 1 has been canceled. Reconsideration of the rejections in view of these amendments and the following remarks is respectfully requested.

Allowable Subject Matter

Applicant gratefully acknowledges that claims 2 and 3 are objected to as being dependent upon a rejected base claim, but would be allowable.

Rejections under 35 USC §102(b)

Claim 1 was rejected under 35 USC §103(a) as being unpatentable over Emberty et al (U.S. Patent No. 5,471,445) in view of Shimose et al (U.S. Patent No. 5,324,087).

Claim 1 has been herein canceled.

Thus, the 35 USC §102(b) has become moot.

It is submitted that all pending claims are in condition for allowance. Reconsideration of the rejections, withdrawal of the rejections and an early issue of a Notice of Allowance are earnestly solicited.


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If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. The fees for such an extension or any other fees which may be due with respect to this paper, may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "Sadao Kinashi".

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